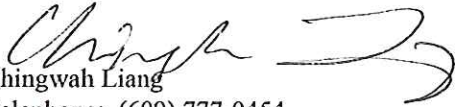




STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF LAND USE REGULATION  
501 East State Street, Station Plaza 5, 2<sup>nd</sup> Floor  
P.O. Box 439, Trenton, New Jersey 08625-0439  
Fax: (609) 777-3656 or (609) 292-8115  
www.state.nj.us/dep/landuse



## PERMIT

In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc."		Approval Date <b>NOV 20 2010</b>
		Expiration Date <b>NOV 20 2013</b>
Permit Number/s  1709-08-0001.1 FHA 080001 IP	Type of Approval/s  Flood Hazard Area	Enabling Statute/s  NJS 13:1D-1 NJS 58:10A-1 NJS 58:16A-50, et. seq.
Applicant The County of Salem 94 Market Street Salem, NJ 08079		Owner (if different from applicant)
Description of Authorized Activities and Limit of Disturbance  This permit grants permission to construct a steel bridge, in replacement of the existing timber railroad bridge, over Oldman's Creek, in the Township of Pilesgrove, Salem County.		
Project Location Lot 10 of Block 8 Township of Pilesgrove, Salem County		Received by County Clerk
Project Manager's Signature  Chingwah Liang Telephone: (609) 777-0454		
<b>This permit is not valid unless authorizing signature appears on the last page.</b>		

**STANDARD CONDITIONS:**

1. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety and agree to adhere to all terms and conditions. If you do not accept or agree with this document in its entirety, **do not** begin construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*. You may also contact the project manager shown on the first page if you have any questions or concerns about this document.
2. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date (or 90 days if multiple counties are involved). The Department's address and fax number are shown on the first page of this permit.
3. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit. The Department's address and fax number are shown on the first page of this permit. Please direct your letter to the project manager shown on the first page.
4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some coastal permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
5. **Duty to comply:** The permittee, its contractors and subcontractors shall comply with all conditions of the permit, supporting documents and approved drawings. Any noncompliance with a permit constitutes a violation of this chapter, and is grounds for enforcement action pursuant to N.J.A.C. 7:13-19, as well as suspension and/or termination of the permit.
6. **Duty to reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit.
7. **Duty to halt or reduce activity:** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
8. **Duty to minimize environmental impacts:** The permittee shall take all reasonable steps to prevent, minimize or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
9. **Proper operation and maintenance:** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The operation of back-up or auxiliary facilities or similar systems is only required when necessary to achieve compliance with the permit. The permittee must also properly execute any approved mitigation compensation and/or restoration proposal designed to mitigate losses caused by the permitted activity. The permittee shall maintain the authorized work areas in good condition and in accordance with the permit.
10. **Proper oversight:** The permittee shall ensure that all approved activities are undertaken using the best management practices available under the supervision and direction of an engineer at all points necessary to ensure compliance with all permit conditions.
11. **Proper site maintenance:** While the regulated activities are being undertaken, neither the permittee nor its agents shall cause or permit any unreasonable interference with the free flow of a regulated water by placing or



dumping any materials, equipment, debris or structures within or adjacent to the channel. Upon completion or abandonment of the work, the permittee and/or its agents shall remove and dispose of in a lawful manner all excess materials, debris, equipment, silt fences and other temporary soil erosion and sediment control devices from all regulated areas.

12. **Permit actions:** A permit can be revised, suspended or terminated for cause. The filing of a request by the permittee for a revision, or a notification of planned changes or anticipated noncompliance does not stay any condition of a permit.
13. **Property rights:** A permit does not convey any property rights of any sort, or any exclusive privilege.
14. **Duty to provide information:** A copy of the general permit and other authorizing documents including all approved plans and drawings shall be maintained at the authorized site at all times and made available to Department representatives or their designated agents immediately upon request. The permittee shall also furnish to the Department within a reasonable time any information that the Department requests to determine compliance with a permit or to determine whether cause exists for suspension or termination of a permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by the permit.
15. **Inspection and entry:** The permittee shall allow an authorized representative of the Department, at reasonable times and upon the presentation of credentials, to:
  - i. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
  - ii. Have access to and copy any records that must be kept under the conditions of the permit; and
  - iii. Inspect any facilities, equipment, practices or operations regulated or required under the permit. Failure to allow reasonable access under this section shall be considered a violation of this chapter and subject the permittee to enforcement action pursuant to N.J.A.C. 7:13-19.
16. **Reporting requirements:** The permittee shall provide reports to the Department as follows:
  - i. **Planned changes:** The permittee shall give notice to the Department prior to any planned physical alterations or additions to the permitted project or activity;
  - ii. **Transfers:** The permit is not transferable to any person unless the transfer is approved by the Department, pursuant to N.J.A.C. 7:13-14.1;
  - iii. **Noncompliance:** The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. The permittee shall report all other noncompliance to the Division of Land Use Regulation by telephone at (609) 292-0060 within two business days of the time the permittee becomes aware of the noncompliance, and in writing within five business days of the time the permittee becomes aware of the noncompliance. The written notice shall include: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter; and
  - iv. **Other information:** Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
17. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment*

*Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.

**SPECIAL CONDITIONS IN ADDITION TO THE STANDARD CONDITIONS:**

18. All excavated material must be disposed of in a lawful manner outside of any regulated open water, freshwater wetlands or adjacent transition areas, and in such a way as to not interfere with the positive drainage of the receiving area.
19. Trees, shrubs, grasses, and other vegetation within 300 feet from the top of all stream banks on site shall not be disturbed for any reason, except where approved by the Department. This condition applies to all streams and waterways on site regardless of the contributory drainage area.
20. The applicant will be responsible for the installing a sediment barrier around all disturbed soils, which is sufficient to prevent the sedimentation of said watercourse and any of the tributaries. Prior to any additional site clearing, grading or construction, the permittee shall have a silt fence and a construction debris fence erected at the limits of the disturbance area. These fences shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized.
21. The applicant must obtain a Freshwater Wetlands permit or Transition Area Waiver for the proposed construction within freshwater wetlands, wetland transition areas or State open waters on site, in accordance with N.J.A.C. 7:7A-1.1 et seq. from the Division of Land Use Regulation. Specifically, a review of this project indicates that a Freshwater Wetlands General Permit 10A shall be obtained prior to the construction of the proposed bridge within these areas. The Department has approved this Flood Hazard Area Permit because the project satisfies the requirements of the Flood Hazard Area Control Act Rules. The issuance of this permit does not in any way indicate that any other permits, which may be required from the Department, shall also be approved.
22. Upon completion of the project all temporary disturbances shall be restored to its original topography and replanted with indigenous, non-invasive, native species.
23. The drawings hereby approved are three (3) sheets prepared by Remington, Vernick & Walberg Engineers, dated June 2008, unrevised, entitled:

"REPLACEMENT OF U.G. BRIDGE NO. 23.39 OVER OLDMANS CREEK, TOWNSHIP OF PILESGROVE, SALEM COUNTY, NEW JERSEY"

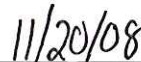
"TOPOGRAPHIC CONDITIONS PLAN", sheet no. 2 of 15

"CONSTRUCTION PLAN", sheet no. 3 of 15

"GENERAL PLAN, ELEVATION, & SECTION", sheet no. 4 of 15



Peter DeMeo, PE  
Supervisor  
Bureau of Urban Growth and Redevelopment



Date



# Adjudicatory Hearing Request Checklist and Tracking Form

**I. Permit Decision or Other Department Decision Being Appealed:**

Issuance Date of Decision Document

Document Number (If any)

**II. Please provide Name, Address and Phone No. of:**

Person Requesting Hearing

Name of Attorney (If applicable)

Address

Address

Phone No.

Phone No.

**III. If you are the applicant or permittee, please include the following information with your hearing request:**

- A. The date you received the permit decision or other decision which you are appealing;
- B. A copy of the decision document;
- C. The findings of fact and conclusions of law you are appealing;
- D. A statement as to whether or not you raised each legal and factual issue during the permit application process;
- E. Suggested revised or alternative permit conditions;
- F. An estimate of the time required for the hearing;
- G. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
- H. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of our hearing request to the Office of Administrative Law; and
- I. This form completed; signed and dated with all of the information listed above, including attachment to:

- 1. New Jersey Department of Environmental Protection Office of Legal Affairs  
Attention: Adjudicatory Hearing Requests  
401 East State Street  
P.O. Box 402  
Trenton, NJ 08625-0402:

With a copy to:

- 2. New Jersey Department of Environmental Protection  
Land Use Regulation Program  
Attention: Director  
P.O. Box 439  
Trenton, NJ 08625-0439

Signature: \_\_\_\_\_

Date: \_\_\_\_\_